IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 22671 of 2004

Between:

Smt.Yemsani Chandrakala W/o.Krishna Murthy
Damarakunta Village Mulugu Mandal, Medak District.

..... PETITIONER

AND

1 The Joint Collector Medak District at Sangareddy, Medak district.
2 The Revenue Divisioanl Officer Siddipet Division at Siddipet, Medak District.
3 The Mandal Revenue Officer Mulugu, Medak District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the R2 for non implementing the stay orders of the R1 in Proc.No CSA/14/A/04 dt.28.9.2004 is illegal, arbitrary and pass such other order or orders.

Counsel for the Petitioner:MR.BOLLAM LINGAIAH YADAV

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following :

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ORDER:

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Petitioner is a fair price shop dealer. Her authorization was cancelled by the 2nd respondent through proceedings, dated 01.07.2004. Aggrieved thereby, petitioner preferred an appeal before the 1st respondent together with an application for stay. Through order, dated 28.09.2004, the 1st respondent stayed the operation of the order of cancellation. The grievance of the petitioner is that despite the same, respondents 2 and 3 are not supplying the essential commodities to her.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The order of cancellation of authorization of the petitioner was stayed by the appellate authority. In that view of the matter, petitioner would be entitled to continue as dealer. There does not exist any justification for respondents 2 and 3 in not implementing the order of stay. If what is stated by the petitioner is true, it amounts to insubordination on the part of respondents 2 and 3.

Hence, the writ petition is disposed of directing that the respondents 2 and 3 shall ensure that the petitioner is supplied with essential commodities, as long as the order of stay granted by the 1st respondent is in force. There shall be no order as to costs.

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L.NARASIMHA REDDY, J

Dated : 13th December, 2004

Note: Furnish copy in three days.

(B/o.)

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To

1 The Joint Collector Medak District at Sangareddy, Medak district.
2 The Revenue Divisioanl Officer Siddipet Division at Siddipet, Medak District.
3 The Mandal Revenue Officer Mulugu, Medak District.

4.2CCs to G.P. for Civil Supplies, High Court Buildings,

Hyderabad(OUT).

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